

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JULIUS FRANCISCO, on behalf of
himself, and on behalf of all persons
similarly situated,

Plaintiffs,

v.

DIEBOLD, INCORPORATED, an Ohio
Corporation,

Defendant.

Case No. 09 cv 1889 WQH WMc

FINAL JUDGMENT

Courtroom: 4

Judge: The Honorable William Q. Hayes

HAYES, Judge:

Having preliminarily approved the Settlement in its Order Granting Preliminary Approval of Settlement ("Preliminary Approval Order"), due and adequate notice to the Class having been given as required in that Order, the Court having granted Final Approval of this Class Action Settlement and issued Final Certification of the Settlement Class on February 8, 2012, and the Court having considered all papers filed and proceedings had herein and otherwise been fully informed of the premises and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. This Court has jurisdiction over the subject matter of this case and over all parties to this litigation;
2. This Court hereby dismisses this action on the merits and with prejudice, pursuant to the terms of the Settlement Agreement against the named Plaintiff and each Class Member as to all

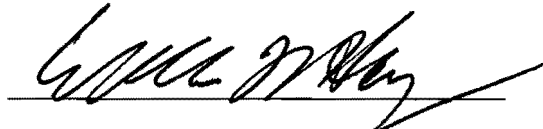
1 claims asserted in the action.

2 2. For purposes of this Judgment, "Class Member(s)" is defined as the group of approximately
3 350 CSEs (formerly "Customer Solutions Engineer," now "Second Line Technicians" or "Associate
4 Service Technician" and similar jobs as defined in Exhibit A to the Settlement Agreement,
5 incorporated herein) who were employed by Diebold in California from August 28, 2005 through
6 July 31, 2011. The "Settlement Agreement" is defined as the Joint Stipulation of Class Settlement
7 and Class Settlement Agreement and Release executed by the parties in July, 2011.

8 3. Without affecting the finality of this Judgment in any way, this Court retains jurisdiction of
9 all matters relating to the interpretation, administration, implementation, effectuation and
10 enforcement of this Judgment and all orders entered in connection therewith.

11 4. This Judgment shall be entered as to Plaintiff Julius Francisco, Diebold and all
12 Class Members.

13
14 Dated: 2/23/12, 2012


The Honorable William Q. Hayes
United States District Judge